FEDERAL REGISTER

VOLUME 18 NUMBER 139

Washington, Friday, July 17, 1953

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

PART 224—DISCOUNT RATES

RATES TO FINANCING INSTITUTIONS UNDER SECTION 13b

Pursuant to section 14 (d) of the Federal Reserve Act, and for the purpose of adjusting discount rates with a view to accommodating commerce and business in accordance with other related rates and the general credit situation of the country, § 224.6, relating to the rates to financing institutions under section 13b of the Federal Reserve Act, is amended so as to change the percentage rate on commitments for the Federal Reserve Bank of Minneapolis from 1/2–1¼ to 1/2–1⅜, effective July 3, 1953.

For the reasons and good cause found as stated in § 224.7, there is no notice, public participation, or deferred effective date in connection with this action.

(Sec. 11, 88 Stat. 262; 12 U. S. C. 248. Interprets or applies sec. 14, 38 Stat. 264, as amended; 12 U. S. C. 357)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 53-6319; Filed, July 16, 1953; 8:47 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Revision of May 10, 1949, Amdt. 20]

PART 550—FEDERAL AID TO PUBLIC AGENCIES FOR DEVELOPMENT OF PUBLIC AIRPORTS

INELIGIBLE PROJECT COSTS

This amendment eliminates a provision which made ineligible as a project cost any cost of acquiring title to or the use of any lands or any interests in air space under section 16 of the Federal Airport Act. Its effect, therefore, is to permit the inclusion of any such acquisition in a project as an item of airport development by execution of a grant agreement or amendment thereto subsequent to the effective date of this amendment. Acting pursuant to the authority vested in me by the Federal Airport Act, I hereby amend Part 550 of the regulations of the Civil Aeronautics Administration as follows:

1. By deleting § 550.4 (a) (1).

2. By renumbering § 550.4 (a) (2) through (9), inclusive, as § 550.4 (a) (1) through (8), respectively.

(Secs. 1–15, 60 Stat. 170–178, as amended; 49 U. S. C. and Sup., 1101–1114)

This amendment shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53-6318; Filed, July 16, 1953; 8:47 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[6th Gen. Rev. of Export Regs., Amdt. 55[1]]

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 374—PROJECT LICENSES

PART 380—AMENDMENTS, EXTENSIONS, TRANSFERS

PART 398—PRIORITY RATINGS AND SUPPLY ASSISTANCE

MISCELLANEOUS AMENDMENTS

1. Section 372.3 *How to file an application for export license* paragraph (c) *Information required* is amended in the following particulars:

a. Item 10 of Note 2, *Preparation of Form IT–419 (Revised April 1952)*, fol-

[1] This amendment was published in Current Export Bulletin No. 708, dated July 9, 1953.

(Continued on next page)

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FEDERAL REGISTER

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CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

lowing paragraph (c) is amended to read as follows:

Item 10. The person who should be named as purchaser is the person abroad who has entered into the export transaction with the applicant. If the foreign purchaser is other than the ultimate consignee shown on the export license application, the name and address of the purchaser must be shown. If the foreign purchaser is the same as the ultimate consignee, this fact should also be shown on the application; in this case the applicant should enter the word "same" in the foreign purchaser item of the form. In any instance in which an applicant fails to make any entry in the foreign purchaser item of the form, he represents thereby that there is no foreign purchaser other than the ultimate consignee.

b. Note 5, *Inquiries and correspondence* following paragraph (c) is amended to read as follows:

5. *Inquiries and correspondence.* Every effort is made to examine applications and advise applicants of action in the shortest time. Applicants should allow a period of one week after receipt of returned acknowledgment card, Form IT-116, or, in case of commodities with established filing dates, 3 weeks after close of such filing period, before inquiring as to progress of an application. Certain types of applications require more time for necessary examination and consideration.

Requests for information concerning the application of regulations to specific fact situations, the status of delayed cases, or any other inquiry concerning export license applications should be addressed to the Exporters' Service Section, Office of International Trade, Department of Commerce, Washington 25, D. C. Such communications

should not be attached to an application for license but should be mailed in a separate envelope. Memoranda attached to license applications should be limited to informational data relating to those applications and should not include inquiries requiring individual reply.

Inquiries concerning the status of applications may be made only by an applicant or his authorized agent. The Office of International Trade will not furnish status information to other persons. When these inquiries are made, they should be submitted to Exporters' Service Section, Office of International Trade, Department of Commerce, Washington 25, D. C., on Form IT-743-A, in duplicate, in accordance with the instructions contained thereon.[2] After receipt of the form and a determination of the status of an application, OIT will return the form, indicating thereon a statement of the desired information. A separate form must be submitted for each application. For convenience of mailing, the form is designed for use in a standard window envelope.

Information as to the probable action of the Office of International Trade respecting a proposed shipment or a hypothetical license application will not be given. It will be necessary in all cases to submit an application together with pertinent information in order to obtain a decision.

A supporting letter should give additional information only for the application to which it is attached.

When an exporter requests telegraphic reply to an inquiry, the complete address of such person or company, including name, street, city, postal zone number, and state, must be given; or if desired, the Western Union "WUX" designation may be substituted for the address. This will expedite the servicing of these requests by the telegraph companies.

Telegraphic replies will be made at the expense of the inquirer.

This part of the amendment shall become effective as of July 9, 1953.

2. Section 373.71 *Supplement 1, Time schedules for submission of applications for licenses to export certain Positive List commodities* is amended in the following particulars:

a. Footnote 2 referring to the heading "Metals and Manufactures" for Second, Third and Fourth Quarters 1953 is amended to read as follows:

[2] Submission dates for these commodities are also applicable to project license and petroleum project license applications (see § 374.2 (c) of this subchapter).

b. Footnote 3 referring to the entry "Commodities with processing code STEE, carbon and stainless steel only" for the Second and Third Quarters 1953 and Footnote 3 referring to the entry "Commodities with processing code STEE" for the Fourth Quarter 1953 are amended to read as follows:

[3] See §§ 398.5 (b) (4) and (c) of this subchapter for exception to these dates under certain conditions.

This part of the amendment shall become effective as of August 8, 1953.

3. Part 374, *Project Licenses* is amended to read as follows:

Sec.
374.1 Project licenses.
374.2 Application procedure.
374.3 Amendment to licenses.
374.4 Export clearance.
374.5 Other applicable provisions.

AUTHORITY: §§ 374.1 to 374.5 issued under sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.

§ 374.1 *Project licenses.* Under the provisions of this part, there is established a procedure for the exportation of commodities required for a specific project or program. Pursuant to this procedure, application may be made for a project license which, if issued, can be used to effect export clearance of commodities requiring validated license.

(a) *Definitions.* (1) A "project" is a new foreign operation, or the expansion of an existing foreign operation, for which commodities are required; in other words, a capital expenditure.

(2) A "program" is the maintenance, repair or operation, and production requirements of commodities for a foreign operation.

(b) *Types of project licenses.* (1) Two types of project licenses have been established: the Dollar Limit (DL) license, and the Special Project (SP) license. The form of the project license will be a validated Export License (Form IT-628) with supplemental validated documents as required. The validated Form IT-628 constitutes the general approval and authorization of the project; however, export clearance of the specific Positive List commodities for such project may be effected only under the appropriate supplemental validated documents. The validated Form IT-628 may cover a project or program for a validity period of one year which may be renewable for a similar period on the request of the licensee in accordance with § 374.3. Supplemental documents will be valid for the period indicated thereon.

(2) In order to be considered under this procedure, a foreign project or program must have annual requirements for materials sufficient in quantity or variety to justify the use of the DL or SP procedure. Save for exceptional circumstances, applications for project licenses will be granted only for commodities not intended for resale.

(c) *Application for other validated licenses.* An exporter holding a project license (SP or DL License) shall not apply for, nor will the Office of International Trade issue to him, an individual or blanket (BLT) license for a transaction involving a project whose requirements are covered by his outstanding SP or DL license, except where the shipment is to be made by mail under the provisions of § 374.4.

NOTE

1. *Project license identification.* If a project license is issued, it will be given a license number with either the prefix "SP" (if approved as a Special Project license) or with the prefix "DL" (if approved as a Dollar Limit license). Project licenses which have been issued in connection with the approval of Form PAD-28A were given a license number with the prefix "SP-28" and were approved for the life of the project. Although no more project licenses will be granted under the PAD-28A procedure, those currently in force will remain in force until the projects licensed under the procedure are completed.

2. *Consultations with OIT.* Prospective applicants for new project licenses should consult with the Office of International Trade, so that a determination may be made as to whether the use of the project license procedure is justified. Queries concerning petroleum projects should be directed to the Petroleum Division; queries for all other projects should be directed to the Projects and Technical Data Division.

3. *Holders of SP project licenses.* Holders of outstanding SP project licenses, as well as other applicants, may apply for Dollar Limit licenses. If requirements for a project or program now authorized for export by an outstanding SP project license are approved for export under a Dollar Limit license, the SP project license will be canceled.

§ 374.2 *Application procedure*—(a) *Basis for consideration of applications*—(1) *Dollar Limit (DL) Licenses.* Applications for DL Licenses must meet one or more of the following conditions:

(i) The project or program will contribute significantly to supporting, maintaining, or increasing the production of materials strategic to or in short supply in the United States, and will benefit supply conditions of these materials in the United States or in areas in which the United States has a significant interest.

(ii) It will implement the Mutual Security Act or will implement loans granted foreign countries by the Export-Import Bank or the International Bank for Reconstruction and Development.

(iii) In the opinion of an appropriate agency of the United States Government (including the Office of International Trade), it merits licensing under the DL procedure.

(2) *SP (Special Project Licenses).* Project license applications will be considered for SP licenses where the above criteria for DL licenses are not fully met or when for other reasons, the project does not justify the approval of a DL license. Annual requirements for materials must be sufficient in quantity and variety to justify the use of the SP procedure rather than the individual license or unit-process license procedure.

(b) *Application for project licenses*—(1) *Preparation of application form.* Applications shall be on Form IT-419, in duplicate, accompanied by an Acknowledgment Card (Form IT-116) Letter of Explanation (in duplicate) and Statement of Estimated Requirements (in duplicate). In preparing the application, Form IT-419, with respect to the particular items specified below, the applicant shall enter:

(i) In the commodity description column, the following legend:

Articles and materials set forth on the attached statement of estimated requirements constitute the total known requirements for (insert name of project) or requirements for one year for (insert name of program) of commodities requiring validated export license beginning (insert date, beginning with a calendar quarter). We hereby certify that if a license is granted in response to this application, no such commodities will be exported under the license unless specifically required for the project or program, and

[2] Filed as part of the original amendment. Form IT-743-A may be obtained at all Department of Commerce field offices and from the Office of International Trade, Department of Commerce, Washington 25, D. C.

after exportation the commodities will not be disposed of or used for any purpose other than that stated in this application.

(ii) In the value column, the total or aggregate dollar value of the commodities to be exported, as shown on the statement of estimated requirements (see subparagraph (4) of this paragraph)

(iii) In the space for signature, the signature of the person who has authority to bind the applicant organization to its commitments in the license application. In the case of an individual, the application shall be signed by that individual applicant; in the case of a partnership, it shall be signed by a partner; in the case of a corporation, it shall be signed by an officer; in the case of other applicants, it shall be signed by a comparable official.

(2) *Preparation of acknowledgment card.* Form IT-116, Acknowledgment Card, shall be prepared in accordance with § 372.3 of this subchapter with the following exceptions:

(i) In the Schedule B number item, the applicant should enter "Project License."

(ii) In the space for processing code the applicant should enter "PETR" (for petroleum projects or programs) or "PB" (for all other projects or programs) and

(iii) In the space for commodity description the name of the project shall be entered.

(3) *Letter of explanation.* The letter of explanation shall give full details as to urgency of need of the commodities and the nature of the project or program for which the commodities are required. The degree of adequacy of the information submitted in justification of the project or program has a direct bearing upon the period of time required for processing the application and the action taken. Additional information, if needed, will be requested by the Office of International Trade.

(4) *Statement of estimated requirements.* The statement of estimated requirements shall specify the estimated commodity requirements requiring validated export license for the project or, in the case of a program, for one year, or less if the program is of shorter duration. Such statement shall be made in terms of broad descriptive categories corresponding with the unnumbered commodity subgroup headings which appear on the Positive List under the main numbered commodity group headings, and including the total dollar value of the requirements for each category of commodities, whether or not an individual IT-375 is required. Examples are indicated below:

Under Commodity Group 2, "Rubber (Natural Allied Gums, and Synthetics) and Manufactures"—$7,000

Under Commodity Group 5, "Petroleum and Products"—$120,000

Under Commodity Group 6, "Metal Manufactures"—$150,000

Under Commodity Group 7, "Electrical Machinery and Apparatus"—$200,000.

(i) If the project application is approved for a DL license, one copy of the statement of estimated requirements will be validated and attached to the export license, IT-628, and will serve as a supplemental document to be presented to the Collector of Customs at the port of exit upon demand to clear other than restricted commodities. Prior to the export of restricted commodities, the procedure detailed in paragraph (c) (1) of this section must be complied with.

(ii) If the project application is approved for an SP license, the procedure detailed in paragraph (c) (2) of this section must be complied with prior to the export of any item on the Positive List for which a validated export license is required.

NOTE: Commodities which do not require any validated license for export to the country of destination should not be listed on the statement of estimated requirements.

(c) *Submission of Forms IT-375*—(1) *DL Project Licenses (Restricted Commodities)* For the initial quarter, and thereafter for each successive calendar quarter, Form IT-375 in duplicate must be submitted for each commodity which is identified on the Positive List of Commodities by the letter "B" in the column headed "Commodity Lists." Related commodities on the Positive List having the same processing code symbol and number may be included on one set of Forms IT-375. The commodity or related commodities must be described in terms of the Schedule B number, commodity description, and quantity in the unit of quantity shown for that commodity on the Positive List, as well as in terms of total dollar value. Commodities which do not have the same processing code symbol and number must be submitted on separate Forms IT-375.

(i) *Time of submission.* When specific time schedules are established for submission of applications covering particular commodities, the schedules must be observed in the submission of Form IT-375. In all other cases Form IT-375 must be submitted not later than 30 days prior to the calendar quarter in which the commodity will be exported, except that where a commodity is placed under restricted commodity control invalidating the license with respect to that commodity less than 30 days prior to a calendar quarter. Form IT-375 may be submitted immediately.

NOTE

1. A statement of the essentiality of the particular commodity in relation to the project will be helpful in expediting action on the application.

2. The commodities for which Form IT-375 must be submitted during particular periods are identified by a footnote reference in § 373.71 of this subchapter.

(2) *SP (Special) Project Licenses.* For the initial quarter, and thereafter for each successive calendar quarter, a Form IT-375 in duplicate must be submitted for each commodity for which a validated license is required. Related commodities on the Positive List having the same processing code symbol and number may be included on one set of Forms IT-375. The commodity or related commodities must be described in terms of the Schedule B number, commodity description, and quantity in the unit of quantity shown for that commodity on the Positive List, as well as in terms of total dollar value. Commodities which do not have the same processing code symbol and number must be submitted on separate Forms IT-375.

(i) *Time of submission of firm requirements.* When specific time schedules are established for submission of applications covering particular commodities, such schedules must be observed in the submission of Form IT-375 covering quarterly firm requirements when so provided. In all other cases Form IT-375 must be submitted not later than 30 days prior to the calendar quarter in which the commodity will be exported.

NOTE: The commodities for which Form IT-375 must be submitted during particular periods are identified by a footnote reference in § 373.71 of this subchapter.

(3) The requirements of the special provisions set forth in Part 373 of this subchapter with respect to particular commodities must be fulfilled as a part of making application for the export of such commodities under a project license.

NOTE: Commodities which do not require a validated license to export to the country of destination should not be listed on Form IT-375.

§ 374.3 *Amendments to licenses*—(a) *Extension of validity period*—(1) *Submission of requests.* Requests for extension of an SP or DL Project License must be submitted by letter, in duplicate, at least 30 days prior to the current expiration date of the license. The letter should contain the reasons for requesting an extension, the approximate percentage of completion of the project and the approximate date of completion, as well as a statement as to whether the scope of the project or program has changed materially. If there is a change in the scope of the project or program and/or the level of requirements, the procedure as outlined in paragraph (b) of this section should be complied with.

(i) In requesting the extension of a DL license, whether or not there is a change in the level of requirements, the applicant must submit with his letter of request a statement of estimated requirements, in duplicate, as outlined in § 374.2 (b) (4)

(2) *Notification.* If the request is granted, a notification letter will be sent to the licensee for attachment to the license and all collectors of customs will be notified. In case of a DL license, one copy of the statement of estimated requirements, validated by the OIT, will be returned to the licensee with the letter of notification. This will constitute authority for the licensee to clear other than restricted commodities through the collector of customs at the port of exist.

(b) *All other amendments.* Requests for amendments to project licenses which materially change the scope of the project or program or materially change the level of requirements from the U. S., as well as amendments covering such other changes as addition of an intermediate consignee, change in name of the licensee, addition of another ultimate consignee, etc., shall be submitted as follows:

(1) Requests for amendment of a DL (Dollar Limit) license shall be submitted in letter form, in duplicate, and shall include, if applicable, a supplementary statement, in duplicate, showing the estimated new or additional requirements for the project or program, as set forth in § 374.2 (b) (4) If the required additional commodity or commodities fall within the restricted commodities described in § 374.2 (c) (1) Form IT-375, in duplicate, must be submitted in accordance with the provisions of § 374.2 (c) (1)

(2) Except as indicated in subparagraph (3) of this paragraph, requests for amendment of an SP (Special) Project License shall be submitted in letter form in duplicate and shall include, if applicable, a supplementary statement of estimated requirements, in duplicate, showing the required additional commodities by broad descriptive categories and accompanied, where required, by Forms IT-375, SP (Special) License Application Materials Requirements List, indicating the firm requirements for the initial calendar quarter, as provided in § 374.2 (c) (2)

(3) Requests for amendment of an SP license which covers a large petroleum construction project which was originally submitted under Order M-46A, shall be submitted as follows:

(i) If the amendment involves a significant change in the character of the project as approved, the request shall be submitted in accordance with subparagraph (2) of this paragraph.

(ii) If the licensee requires only export clearance for additional materials for the project as approved, the request shall be submitted on Form IT-375, in duplicate.

§ 374.4 *Export clearance*—(a) *Presentation of license.* (1) When clearing shipments for export under any project license, the licensee must present, upon demand of the collector of customs at the port of exit, either the original or a photostatic copy of the license, and the appropriate supplementary validated documents.

(2) No commodity which is identified on the Positive List by the letter "B" in the column headed "Commodity Lists" may be exported under a DL license unless such commodity is covered by a validated Form IT-375.

(3) Shipment under any project license cannot be made by mail unless the shipper has applied for and obtained an individual export license covering the particular commodities to be exported by mail. Application should be made on Form IT-375 in the usual way, except that the license holder should indicate on the face of the form that shipment of the commodities listed is to be made by mail. An individual license will be issued on the safety paper license form (Form IT-628). Clearance against such individual license must be effected in accordance with the procedures for shipments by mail outlined in § 379.1 (f) of this subchapter.

(b) *Shipper's export declaration.* (1) When clearing shipments under a project license, licensees shall file with the collector of customs an additional (fourth) copy of the shipper's export declaration (Commerce Form 7525-V) The licensee shall also enter the license symbol DL or SP, as the case may be, and the license number on the declaration. Where exportation is made under an SP license, or where a restricted commodity is being exported under a DL license, the amendment number as stated on the particular IT-375, as appropriate, shall be shown. The date of validation of the Form IT-375 also shall be stated.

(2) Commodities exported under a DL or an SP license shall be described on the shipper's export declaration as they are described on the Positive List, including the processing code. It is not sufficient to describe such commodities in terms of broad Schedule B commodity categories. As provided for in § 379.3 (a) of this subchapter, in those cases where a Schedule B basket classification is involved, the detailed descriptions of only 5 of the items which represent the greatest proportions of the total dollar value need be shown on the Shipper's Export Declaration.

§ 374.5 *Other applicable provisions.* Insofar as consistent with the provisions of this part, all of the provisions of Parts 370 to 399 of this subchapter shall apply equally to applications for and licenses issued under this part.

This part of the amendment shall become effective as of August 8, 1953.

4. Section 380.2 *Amendments or alterations of licenses* is amended to read as follows:

§ 380.2 *Amendments or alterations of licenses*—(a) *Persons authorized to amend licenses.* No amendments or alterations of export licenses may be made except by the Department of Commerce or by collectors of customs or postmasters acting under specific instructions from the Department of Commerce

(b) *General provisions.* The Office of International Trade will consider for approval a request for amendment of an outstanding export license submitted for the purpose of conforming such license to changes which have taken place in the original transaction covered by that license. However, an amendment will not be approved to effect a change of such significance as to constitute a new transaction. Such transactions must be covered by a new license application.

(c) *Changes requiring a new license application.* In general, changes of the following types will be deemed to be of such substance as to constitute an essentially new transaction and therefore require a new application for an export license:

(1) Country of Ultimate Destination.

(2) Ultimate Consignee (except as indicated in paragraph (d) (2) of this section).

(3) Commodity to be exported.

(d) *Changes by amendment.* The changes which may be made by amendment to an outstanding export license include, but are limited to, the following items:

(1) Purchaser (provided the change in purchaser does not also effect a change in ultimate consignee).

(2) Ultimate Consignee, if the change is made (i) to identify correctly the same ultimate consignee named in the license, or (ii) to add one or more new consignees to an outstanding Periodic Requirements License or a Blanket License, or (iii) to designate a new consignee when the purchaser instructs that shipment be made direct to the ultimate user, provided that all documents required from the ultimate user, such as consignee statement, are submitted to Office of International Trade either with the original application or with the amendment request.

(3) Intermediate Consignee, if the new intermediate consignee is located in any country other than the country of ultimate destination as shown on the export license. (When the new intermediate consignee is located in the country of ultimate destination shown on the license, no amendment is required. See paragraph (e) (4) of this section.)

(4) Increase in quantity or price. (See paragraph (i) of this section.)

(5) Extension of the validity period of the license. (See § 380.4)

(6) Correction of a clerical error on the part of the Office of International Trade.

(7) Correction of a clerical error on the part of the applicant for an export license of a type not covered by paragraph (e) of this section.

(8) Change of licensee (in accordance with the provisions relative to the transfer of licenses set forth in § 380.1).

(e) *Changes which require neither amendment nor new license.* The following changes do not require a new license or an approved amendment, or any other notification to the Office of International Trade:

(1) Change in applicant's reference number.

(2) Decrease in unit price or total value.

(3) Other changes in price as set forth in paragraph (i) (3) of this section.

(4) Change in intermediate consignee if the new intermediate consignee is located in the country of ultimate destination as shown on the export license.

(5) Change in street address of purchaser or ultimate consignee.

(6) Change in Schedule B No., unit of quantity, or wording of the commodity description where necessary only for the purpose of conforming to an official revision of "Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States" made by the Bureau of the Census after the license is issued but before shipment is made. This provision does not permit any change to be made which effects an actual change in the commodity or the quantity licensed.

(f) *Where to file*—(1) *General.* All requests for amendments to licenses may be filed with the Office of International Trade, Department of Commerce, Washington 25, D. C. However, certain types of amendments described in subparagraph (2) of this paragraph may be requested from those field offices of the Department of Commerce listed below:

(i) *Delegation of authority.* Authority to amend export licenses (Form IT-628) subject to the limitations set forth in subparagraph (2) of this paragraph, is delegated to the following field offices of the Department of Commerce:

Baltimore, Boston, Chicago, Cleveland, Detroit, El Paso, Houston, Jacksonville, Los Angeles, Miami, Mobile, New Orleans, New York, Philadelphia, Portland, Oreg., San Francisco, Savannah, Seattle.

(ii) *Shipments which are to clear through customs.* Within the limits of the authority delegated, the above designated field offices may approve amendments to licenses for shipments which are to be cleared through collectors of customs at ports located in the same customs district as the field office. Additional authority is delegated to the Houston field office to approve amendments to licenses for shipments which are to be cleared through collectors of customs at the ports of Laredo, Brownsville, and Eagle Pass, and to the Los Angeles field office for shipments through Tecate, Calexico, and San Ysidro.

(iii) *Shipments which are to clear through United States mail.* Within the limits of the authority delegated, the above-designated field offices may approve amendments to licenses for shipments by mail, which are to be cleared through a post office located in the same customs district as the field office. In these cases, the license must be submitted to the field office with the amendment request and may not be deposited with the postmaster pending action on the amendment request.

(2) *Amendment requests on which field offices may take action.* With the exceptions set forth in subparagraphs (3) and (4) of this paragraph, the Department of Commerce field offices listed in subparagraph (1) of this paragraph are authorized to take action on requests for amendment of licenses of the following types only:

(i) Extension of validity period.

(ii) Correction of certain types of obvious errors due to mistakes in typing licenses, such as misspelled words, errors in price extension or computation, and errors in unit of quantity (provided the correction does not change the total quantity)

(iii) Change of quantity or dollar value required as result of factors beyond the control of the licensee, such as unforeseen overruns of the mill. Field offices of the Department of Commerce are limited in their approvals of such amendment requests, however, to specified small percentage increases in the licensed quantity or dollar value.

(iv) Change of the licensee's address.

(3) *Amendment requests on which field offices may not take action.* The Department of Commerce field offices are not authorized to take action on requests for amendments to licenses under the following conditions. All such requests shall be filed with the Office of International Trade, Department of Commerce, Washington 25, D. C.

(i) Licenses covering exportations to Hong Kong, Macao, or Subgroup A countries unless the amendment involves no more than a correction of obvious errors in the license, such as mistakes in typing.

(ii) Requests for amendment of licenses involving shipments to be cleared from any port other than as authorized in subparagraph (1) of this paragraph, or where the intended port of exit is not known to the licensee.

(iii) The validity period of licenses for totally allocated commodities (as defined in the Note to § 373.44 (a) of this subchapter), and nickel-bearing stainless steel commodities (as set forth in § 373.40 (d) of this subchapter) may not be extended unless the licensee submits evidence showing that the commodities are in his possession and a certification that the material was purchased in accordance with the applicable NPA regulations.

(iv) Requests for change of nickel-bearing stainless steel symbol from one quarter to another, see § 398.5 (b) (3) of this subchapter.

(v) Requests for amendment action on shipments which have already been laden aboard the exporting carrier or exported. (See paragraph (h) (2) of this section.)

(4) *Duplicate requests covering same license.* Requests for amendment shall not be submitted to or acted upon by any field office of the Department of Commerce if an amendment request covering the same license is currently pending action or has been previously denied by the Washington office of the Office of International Trade, or by any other field office.

(g) *Procedure for submitting requests for amendments*—(1) *Number of copies.* Requests for amendments shall be submitted on Form IT-763, Request for and Notice of Amendment Action (revised April 1951), in triplicate. However, when such requests are filed with one of the above-named field offices, a fourth copy must be submitted; this fourth copy may be made on plain, thin, white paper.

(2) *Information required.* All numbered items shown on IT-763 must be completely filled in on all copies.

(i) (*a*) The reasons for the requested amendment must be clearly stated in answer to item 10.

(*b*) In requesting an amendment for change in the purchaser or ultimate consignee, the licensee must comply where applicable, with the provisions of § 373.65 of this subchapter regarding a statement from the new ultimate consignee or purchaser if the shipment is destined to an R country or with the provisions of § 373.2 (c) regarding the submission of an import certificate. The licensee must also comply with the provisions of § 373.1 (b) of this subchapter regarding evidence and certification of accepted orders, if applicable to the commodity being exported. Such certification shall be made on the back of Form IT-763 or on a sheet attached thereto.

(ii) The licensee must not in any case retain the license when submitting a request for amendment. Where shipments are to be made through customs, the address of the collector of customs with whom the license has been deposited must be entered in item 11 of Form IT-763. If the exporter does not know the intended port of exit, he shall return his license to the Office of International Trade with his request for amendment on Form IT-763; in which case, the applicant shall enter the word "Unknown" in answer to item 11. A postmaster or post office address, from which a shipment will be made by mail, is not an acceptable entry for item 11. Where shipment is to be made by mail, the license must accompany the request for amendment.

(iii) In completing item 12, "Amend license to read as follows," the applicant must identify that portion of the license upon which amendment is requested and insert the proposed change.

(3) *Signature.* The signature of the licensee, or an officer or duly authorized agent of the licensee, must be placed on the original and duplicate copies in the space provided. When such request is submitted by an officer or an agent authorized by the licensee, who may be a freight forwarder, attorney, or any other individual so authorized, he must sign the request by entering the licensee's name and underneath his own signature prefixed by the word "BY" and followed by his own title.

For example: Joseph Aloysius Jones
By Hamilton Newbold,
Agent.

(4) *Telegraphic requests.* Under emergency conditions, a request for amendment may be made by telegram, and the licensee may include therein a request that the amendment, if approved, be forwarded to the collector of customs by special communication. In such instances, the telegram must include the same information required to complete Form IT-763, and, in addition, full information as to the necessity for such type of service, including deadline dates. If the request is submitted by mail on Form IT-763, but emergency clearance is requested, a letter setting forth full details as to the necessity for such service, including deadline dates, must accompany the request.

NOTE

Requests for amendments by telephone or by letter will not be accepted.

1. *Licenses held by collectors—Amendment Action by OIT, Washington, D. C.* On an approved request, the Office of International Trade will validate all copies of Form IT-763 by imprinting in the space headed "Validation" a facsimile of the Department of Commerce seal followed by a five-digit number representing the date of validation; the duplicate copy will be forwarded as the official notice of amendment to the collector of customs designated in item 11; the triplicate copy will be forwarded to the individual named in item 4 of IT-763. If the request is rejected, or returned without action, the reasons therefor will be indicated in the upper right-hand corner, and the triplicate copy returned to the applicant. Upon request, and where warranted, advice of an amendment action will be dispatched by collect wire to the applicant and (in the case of approved requests) by special communication to the collector of customs; copies of Form IT-763 then will be mailed in the usual manner and serve as confirmation of wire advices.

Amendment Action by Field Offices: Amendments approved by field offices will be validated in a different manner than those approved by the Washington office. The facsimile of the Department of Commerce seal and the name of the field office will be inserted in the space marked "Validation" by means of a validating machine and plate. To complete the validation process, the

amending officer will, in the spaces provided, insert a serial number and sign and date Form IT–763. The collector's copy of the approved form will be sent to the appropriate collector of customs by official transmittal as the official notice of amendment. A confirmation copy will be sent to the individual named in item 4 of Form IT–763. In the case of rejection or return without action, the amending officer will, in the spaces provided, indicate rejection or RWA, sign, date, identify the field office, and give the reasons for such action; a confirmation copy will be sent to the individual named in item 4 of Form IT–763.

When an amendment request involves shipment by mail, the field office shall return to the applicant (a) the validated duplicate (collector's copy of Form IT–763; (b) the triplicate (applicant's copy); and (c) the export license (Form IT–628). It will be the responsibility of the licensee or his authorized agent to present the license and the validated Form IT–763 to the postmaster at the time of mailing.

2. *Licenses sent to OIT.* In those cases where the intended port of exit is unknown and the license accompanies Form IT–763, the Office of International Trade, on an approved request, will prepare a new license and forward it to the individual named in item 4 of Form IT–763. However, if the amendment requested is for an extension of validity period, such amendment will be made by typing a new expiration date on the face of the original license.

3. *Where to obtain Form IT–763.* Form IT–763 is set up in pads of quadruplicates so as to provide a copy for the applicant's file. Sets of the forms may be obtained by writing to any Field Office of the Department of Commerce.

(h) *Disclosure on amendment requests of prior action on the shipment—*(1) *Prior detention of commodities by customs.* Any exporter or his agent making application to the Office of International Trade for an amendment of an export license, who shall know or have reasonable cause to believe that a collector of customs has detained commodities which would be exportable under such license, as amended, shall disclose to the Office of International Trade at the time of applying for such amendment the fact that the collector of customs has detained the commodities. Any amendment obtained without full disclosure of that fact shall be deemed to have been obtained without disclosure of all facts material to the granting of the amendment, and the license and any amendment so obtained shall be void.

(2) *Prior exportation without a license.* No request for amendment to an export license shall be submitted to the Office of International Trade covering a shipment that is already laden aboard the exporting carrier or exported. In such cases where the shipment should have been authorized by a validated license, or amendment thereto, the exporter should send a letter or wire to the Export Control Investigation Staff, Office of International Trade, Department of Commerce, Washington 25, D. C., explaining why a validated license (or amendment thereto) was not obtained and disclosing all the facts concerning the shipment that would normally have been disclosed on the Request for and Notice of Amendment Action, Form IT–763. The Office of International Trade will inform the exporter of its action and instructions to him in the matter by letter. Any amendment obtained without such disclosure shall be deemed to have been obtained without disclosure of all facts material to the granting of the amendment, and the license and any amendment so obtained shall be void.

NOTE: See § 372.8 of this subchapter and § 380.4 (c) with respect to license applications and requests for extensions of validity periods of licenses to authorize shipments described in paragraph (h) of this section.

(i) *Price amendments—*(1) *Time for submission.* Request for amendment of a license to effect a change in price may be submitted at any time during the validity period of the license.

(2) *Necessary amendments to show price changes.* Export licenses must be amended to show any upward change in unit prices or total value on the license if the commodity covered by the license is at the time of export clearance subject to the general licensing policy set forth in § 373.1 of this subchapter, except:

(i) Where the licensee avails himself of permissible weight and volume tolerances. In such cases, the total value for the commodity shown on the shipper's export declaration may exceed the total value shown on the license. However, the unit value shown on the license may not be increased.

(ii) Where price increases can be justified before the collector of customs on the basis of changes in point of delivery, port of exit, or as a result of transportation costs, drayage, port charges, warehousing, etc.

(iii) Where unit or total price is not shown on the license but is based upon the market price at a specified date plus an exporter's mark-up, or like basis. In such cases, the unit or total price need only conform with the price statement on the license.

(3) *Price changes for which amendments are not required.* Export licenses need not be amended to show changes in unit or total price under the following circumstances:

(i) Where the license covers an R commodity; or

(ii) Where the license covers an RO commodity which at the time of export clearance is not subject to the general licensing policy set forth in § 373.1 of this subchapter; or

(iii) Where the change involves a reduction in prices:

Provided, That when commodities are licensed in quantities determined only by dollar value indicated on the license, the value shown on the shipper's export declaration shall not exceed the total value shown on the license. Shipments against such licenses will be charged in terms of dollars as shown on the shipper's export declarations.

NOTE: Where the Positive List does not indicate a unit of quantity for a specific commodity, the commodity shall be deemed to be licensed in quantities determined by dollar value only, even though a unit of quantity is shown on the license.

In such instances any increase in total dollar value must be made by amendment as provided for under subparagraph (2) of this paragraph. Shipments against such licenses will be charged in terms of dollars as shown on the shipper's export declaration and the value shown on the shipper's export declaration shall not exceed the total value shown on the license.

When commodities are licensed in quantities determined only by the dollar value indicated on the license, price increases, transportation and warehousing charges, etc., occurring between the date of validation of the license and the date of the export declaration may have the effect of reducing the physical quantity which may be exported.

This part of the amendment shall become effective as of August 8, 1953.

5. Section 380.4 *Extension of licenses* is amended in the following particulars:

a. In paragraph (b) *Procedure and justification for requesting extension,* subparagraph (2) the reference to "§ 380.2 (c) (4)" is amended to read: "§ 380.2 (g) (4)"

b. In the Note following paragraph (b) the parenthetical reference "(See Note following § 380.2 (c))" is amended to read: "(See Note following § 380.2 (g))"

c. In paragraph (c) *Disclosure of prior action on the shipment,* the reference to § 380.2 (d)" is amended to read: "§ 380.2 (h)"

This part of the amendment shall become effective as of August 8, 1953.

6. Section 398.8 *Supply assistance for foreign petroleum operations* is deleted.

This part of the amendment shall become effective as of August 8, 1953.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

E. E. SCHIELLBACHER,
Acting Director
Office of International Trade.

[F. R. Doc. 53–6335; Filed, July 16, 1953; 8:49 a. m.]

[6th Gen. Rev. of Export Regs., Amdt. P. L. 48[1]]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

DETONATING FUSES AND BLASTING CAPS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars: The following commodities are added to the Positive List:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar-value limits	Validated license required
862300	Detonating fuses	Lin. ft.	ORGN 1	10	RO
	Blasting caps:				
862700	Electric, except electric squibs which contain only a deflagrating agent.	No.	ORGN 1	10	RO
862800	Nonelectric	No.	ORGN 1	10	RO

[1] This amendment was published in Current Export Bulletin No. 703, dated July 9, 1953.

This amendment shall become effective as of 12:01 a. m., July 16, 1953.

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations as a result of changes set forth in this amendment which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., July 16, 1953, may be exported under the previous general license provisions up to and including August 8, 1953. Any such shipment not laden aboard the exporting carrier on or before August 8, 1953, requires a validated license for export.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

E. E. SCHNELLBACHER,
Acting Director
Office of International Trade.

[F. R. Doc. 53-6336; Filed, July 16, 1953; 8:49 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 4960]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CARTER PRODUCTS, INC., AND SMALL & SEIFFER, INC.

Subpart—*Advertising falsely and misleadingly:* § 3.195 *Safety.* Order further modifying prior order in Carter Products, Inc. et al., 1951, D. 4960, 47 F T. C. 1348, 16 F R. 8320 (16 CFR 3.195) so as to permit the representation in Paragraph 1 (e) of the order that respondents' preparation "Arrid" is safe for use on normal skin, as in said order below set out.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Order further modifying cease and desist order, Carter Products, Inc., et al., New York, N. Y., Docket 4960, June 8, 1953]

In the Matter of Carter Products, Inc., a Corporation, and Small & Seiffer Inc., a Corporation

This matter came on to be considered by the Commission upon the petition of respondents for further modification of Paragraph 1 (e) of the modified order to cease and desist issued herein by the Commission on May 24, 1951. This portion of the order requires respondents to cease and desist from disseminating in commerce, or disseminating by any means for the purpose of inducing or which is likely to induce the purchase in commerce of the cosmetic product "Arrid," any advertisement which represents: "That said preparation is safe or harmless to use without disclosing that it may cause irritation of sensitive skin."

Respondents ask that this provision be so modified as to permit them to represent that the product is safe for use on normal skins.

Counsel supporting the complaint does not object to the granting of the petition to the extent of modifying the said provision to read: "That said preparation is safe and harmless, unless limited to normal skin."

The Commission having considered the matter, and being of the opinion that modification of the said order in the manner requested by respondents is consonant with its action in other cases involving competitive preparations:

It is ordered, That respondents' petition be, and the same hereby is, granted; and

It is further ordered, That paragraph 1 (e) of the modified order to cease and desist issued by the Commission herein on May 24, 1951, be, and the same hereby is, further modified to read as follows: "That said preparation is safe and harmless, unless such representation is limited to safety and harmlessness for normal skins."

Issued: June 8, 1953.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 53-6350; Filed, July 16, 1953; 8:52 a. m.]

[Docket 5878]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SAYLES FINISHING CORP. ET AL.

Subpart—*Combining or conspiring:* § 3.400 *To discriminate or stabilize prices through basing-point or delivered-price system.* § 3.430 *To enhance, maintain, or unify prices.* Subpart—*Selling and quoting on systematic price-matching bases:* § 3.2190 *Basing points and delivered-price systems.* In connection with the offering for sale, sale, and distribution in commerce, of starch-filled and pyroxylin-impregnated book cloth, and on the part of respondent Special Fabrics, Inc., and four other corporate respondents, entering into, cooperating in, carrying out or continuing, directly or indirectly, any planned common course of action, understanding, or agreement between any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, engaged in competition with any of said respondents, to: (1) Establish, fix, maintain, or change prices, terms, or conditions of sale; (2) eliminate or fix discounts for quantities or establish and maintain premium charges in lieu thereof; (3) establish, fix, or maintain premium charges, e. g., for embossing, in connection with the manufacture and sale of book cloth; and (4) establish, fix, or maintain any method, practice, policy, or system with respect to delivery charges or allowances; prohibited, subject to the provision, however, that nothing contained in the order shall be construed as prohibiting the establishment or maintenance of any lawful bona fide relationships between respondents Joseph Bancroft & Sons Co. and Albert D. Smith & Co., Inc., as parent corporation and subsidiary, respectively, when such relationships are not established or maintained with the purpose or effect of lessening competition or restraining trade.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Sayles Finishing Corporation (Plants, Inc.), Special Fabrics, Inc., et al., Saylesville, R. I., Docket 5878, June 10, 1953]

In the Matter of Sayles Finishing Corporation, a Corporation and Its Subsidiary, Special Fabrics, Inc., a Corporation, Winterbottom Book Cloth Company, Ltd., a Corporation, and Its Subsidiary, Interlaken Mills, a Corporation, Holliston, Mills, Inc., a Corporation, Joseph Bancroft and Sons Company, a Corporation, and the Following of Its Subsdiaries: Albert B. Smith and Company, a Corporation, and Banco, Inc., a Corporation, The Columbia Mills, Inc., a Corporation, Joanna-Western Mills Company, a Corporation, and E. I. du Pont de Nemours and Company, Inc., a Corporation

Pursuant to the provisions of the Federal Trade Commission Act, the Federal Trade Commission on May 3, 1951, issued and subsequently served upon the respondents hereinafter described its complaint in this proceeding, charging said respondents with the use of unfair methods of competition in commerce in violation of section 5 of said act. All of said respondents (except Winterbottom Book Cloth Company Ltd., which appeared specially) filed appearances and answers in this matter; testimony was taken and evidence in support of the complaint was introduced by counsel supporting the complaint; and thereafter such counsel rested the case on behalf of the Commission.

Thereafter, this matter having come on to be heard by the Commission upon a proposal for settlement dated March 18, 1953, submitted by all of the respondents except those as to whom the complaint is hereby dismissed, said proposal for settlement having been accepted and recommended by counsel in support of the complaint, the Director of the Bureau of Antimonopoly, the Chief of the Division of Investigation and Litigation, and the Hearing Examiner, and the Commission having duly considered said proposal for settlement and being of the opinion that said proposal for settlement provides for disposition of this proceeding in the public interest, accepts the same and makes this its findings as to the facts[1] and its conclusion drawn therefrom.[1]

I. *It is ordered,* That respondents, Special Fabrics, Inc., a corporation, Interlaken Mills, a corporation, Holliston Mills, Inc., a corporation, Joseph Bancroft & Sons Co., a corporation, and Albert D. Smith & Co., Inc., a corporation, through and by means of their respective officers, agents, representatives and employees, in or in connection with the

[1] Filed as part of the original document.

offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of starch-filled and pyroxylin-impregnated book cloth, do forthwith cease and desist from entering into, cooperating in, carrying out or continuing, directly or indirectly, any planned common course of action, understanding or agreement between any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, engaged in competition with any of said respondents, to do or perform any of the following acts and things:

1. Establishing, fixing, maintaining or changing prices, terms or conditions of sale.

2. Eliminating or fixing discounts for quantities or establishing and maintaining premium charges in lieu thereof.

3. Establishing, fixing or maintaining premium charges, e. g., for embossing, in connection with the manufacture and sale of book cloth.

4. Establishing, fixing or maintaining any method, practice, policy or system with respect to delivery charges or allowances.

Provided, That nothing contained in this order shall be construed as prohibiting the establishment or maintenance of any lawful bona fide relationships between respondents Joseph Bancroft & Sons Co. and Albert D. Smith & Co., Inc., as parent corporation and subsidiary, respectively, when such relationships are not established or maintained with the purpose or effect of lessening competition or restraining trade.

II. *It is further ordered,* That the complaint be, and the same hereby is, dismissed as to the respondents Sayles Finishing Plants, Inc., The Winterbottom Book Cloth Company, Ltd., Banco, Inc., E. I. du Pont de Nemours and Company, Inc., Joanna Western Mills Company, and the Columbia Mills, Inc.

III. *It is further ordered,* That the complaint be, and it is hereby, amended by striking out the names "Sayles Finishing Corporation" and "Albert B. Smith and Company," where they appear in the caption and wherever they appear in the body of the complaint and inserting in lieu thereof the correct names of said respondents, as follows: "Sayles Finishing Plants, Inc." and "Albert D. Smith & Co., Inc."

IV. *It is further ordered,* That the respondents Special Fabrics, Inc., Interlaken Mills, Holliston Mills, Inc., Joseph Bancroft & Sons Co., and Albert D. Smith & Co., Inc., shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: June 10, 1953.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 53-6351; Filed, July 16, 1953; 8:53 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 114—TREATMENT OF MAILS: POSTAGE REFUNDS: INTERNATIONAL REPLY COUPONS: DISPOSITION OF FOREIGN DEAD MATTER

RETURN RECEIPTS, DISPOSITION OF WHEN COMPLETED

In § 114.23 *Return receipts sent to interior offices,* make the following changes:

a. Amend the caption and paragraph (a) to read as follows:

§ 114.23 *Return receipts, disposition of when completed*—(a) *Signature and return.* Return receipts describing registered or insured mail received in the United States from other countries shall be required to be signed by the addressee or his agent with ink or, if practicable, with indelible pencil. The signed receipts shall be postmarked and returned (without cover, if they are in card form) direct to the address of the senders of the articles concerned. The return shall be free of additional postage and by surface means unless the notation "Par Avion" appears on the receipt; this notation indicates the sender has paid for the return of the completed receipt by air and in this case it should be returned to him by air mail. When registered mail is signed for by an authorized agent of the addressee, the names of both the addressee and the agent shall appear on the card.

b. Amend the first sentence of paragraph (c) to read as follows: "When it is apparent to the postmaster at the office of delivery that a return receipt is desired by the sender of a registered piece of foreign origin, and no return receipt blank accompanies the piece, he shall supply a sender's return receipt, on Form 2865, or, in case he has not such form, he shall use Form 3811."

(R. S. 161, 396, 398; secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] ROSS RIZLEY, *Solicitor*

[F. R. Doc. 53-6320; Filed, July 16, 1953; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 52]

U. S. STANDARDS FOR GRADES OF TOMATO SAUCE

EXTENSION OF TIME

Proposed United States Standards for Grades of Tomato Sauce were set forth in the notice which was published in the FEDERAL REGISTER on May 29, 1953 (18 F. R. 3096)

In consideration of the comments and suggestions received indicating the need for further study of the proposed standards, notice is hereby given of an extension until December 31, 1953, of the period of time within which written data, views, and arguments may be submitted by interested parties for consideration in connection with the aforesaid proposed United States Standards for Grades of Tomato Sauce.

Done at Washington, D. C., this 10th day of July 1953.

[SEAL] ROY W. LENNARTSON, *Assistant Administrator, Production and Marketing Administration.*

[F. R. Doc. 53-6276; Filed, July 16, 1953; 8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 2]

[Docket No. 10582]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

NOTICE OF PROPOSED RULE-MAKING

In the matter of amendment of Part 2 of the Commission's rules and regulations concerning the allocation of frequencies in the bands 4187–4238 kc, 6280.5–6357 kc, 8374–8476 kc, 12561–12714 kc, 16748–16952 kc and 22270–22400 kc; Docket No. 10582.

1. Notice is hereby given of proposed rule-making in the above-entitled matter.

2. The proposed amendment to the rules is intended as a part of the Commission's plan for bringing into force the International Radio Regulations (Atlantic City, 1947) in accordance with the agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951)

3. The Atlantic City Radio Regulations provide the following frequency bands for exclusive use as Cargo Ship Radiotelegraph Working Bands:

Kc.	*Kc.*
4187–4238	12,561–12,714
6280.5–6357	16,748–16,952
8374–8476	22,270–22,400

With reference to the implementation of these bands, the agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951) contains a provision whereby the target date

for the clearance of these bands of out-of-band assignments would be six months after the date on which ship stations commenced to move into the Atlantic City Ship Telegraph Calling Bands. In view of the fact that the date September 1, 1953, has been established by the International Telecommunication Union for beginning the activation of the Ship Telegraph Calling Bands on a world-wide basis, the Commission proposes to amend Part 2 of its rules so as to show all of the above Cargo Ship Radiotelegraph Working Bands available exclusively for use by ship radiotelegraph stations as of March 1, 1954. By previous amendment to Part 2 of the rules, the 22 Mc Cargo Ship Working Band is already shown as available for the exclusive use by ship radiotelegraph stations.

4. The proposed amendment to the rules is issued pursuant to the authority of sections 303 (c) (f) and (r) of the Communications Act of 1934, as amended, the Final Acts of the International Telecommunication Radio Conference (Atlantic City, 1947) and the agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951)

5. Any interested party who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before September 11, 1953, a written statement or brief setting forth his comments. Replies to such comments may be filed within ten days from the last date for filing the original comments. The Commsssion will consider all comments and briefs presented before taking final action in the matter.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: July 8, 1953.

Released: July 10, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-6314; Filed, July 16, 1953; 8:46 a. m.]

[47 CFR Part 3]

[Docket No. 10588]

TELEVISION BROADCAST STATIONS

TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606 *Table of assignments* rules governing television broadcast stations; Docket No. 10588.

1. Notice is hereby given that the Commission has received two proposals for rule making in the above-entitled matter which request mutually exclusive changes in the television table of assignments.

2. The Commission has before it for consideration a petition filed on June 4, 1953 by the Daily Telegraph Printing Company, Bluefield, West Virginia, requesting (a) an amendment of § 3.606 *Table of assignments* rules governing television broadcast stations as follows:

City	Channel No.	
	Present	Proposed
Beckley, W. Va.	6-, 21	4, 21
Bluefield, W. Va.	41+	6-, 41+

and (b) an amendment of § 3.610 and Appendix I, Figure 1 so as to move the Zone 1 line to include the entire State of West Virginia. The following change with respect to the offset carrier requirements only would be required as a result of the assignment of Channel 4 to Beckley·

City	Channel No.	
	Present	Proposed
Chapel Hill, N. C.	*4	*4+

3. In support of the proposal petitioner states that Bluefield is the largest city in the Fifth Congressional District of West Virginia with a population of 21,506; that no VHF assignment has been made to this district; that the density of population in the Zone 11 portion of West Virginia is greater than that in Zone 1, that this density of population is greater than the most densely populated state in Zone 11 and many states in Zone 1, that the proposed amendment would result in a more fair and equitable distribution of VHF assignments as among the districts of West Virginia; that a UHF assignment would not be satisfactory in the rugged mountainous terrain of this area and that the proposed assignment would provide a new service to a large number of persons.

4. The Commission also has before it a petition filed on June 23, 1953 by the High Point Enterprise, Inc., High Point, North Carolina requesting (a) an amendment of § 3.606 *Table of assignments* rules governing television broadcast stations as follows:

City	Channel No.	
	Present	Proposed
High Point, N. C.	15+	6- 15+
Wilmington, N. C.	6, 29- *35+	3-, 29- *35+
Beckley, W. Va.	6-, 21	4, 21

and (b) an amendment of § 3.610 and Appendix I, figure 1 so as to move the Zone 1 line to include either the City of Beckley, West Virginia, or the entire State of West Virginia. The following changes with respect to offset carrier requirements only would be required as a result of the assignment of Channel 3 to Wilmington:

City	Channel No.	
	Present	Proposed
Savannah, Ga.	3-	3+
Chapel Hill, N. C.	*4	*4+

5. In support of its proposal for the addition of Channel 6 to High Point, petitioner urges that High Point with a population of 39,930 is one of two equally important cities in the Greensboro-High Point Metropolitan area; that it is one of the cities forming a triangle consisting of Greensboro, Winston-Salem, and High Point each having a VHF assignment except for High Point; that High Point is an important cultural and trading center deserving of a VHF station for local expression; that there are 66,792 VHF receivers in the area, that the proposal is technically feasible; that the density of population in that portion of West Virginia in Zone 11 is greater than that in Zone 1, and that there is no evidence in the record resulting in the Sixth Report and Order which establishes that that tropospheric interference is greater south of Beckley than north of that community.

6. Authority for the adoption of the proposed amendment is contained in section 4 (i) 301, 303 (c), (d), (f), and (r) and 307 (b) of the Communications Act of 1934, as amended.

7. Any interested party who is of the opinion that either of the amendments proposed by petitioners should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before August 17, 1953 a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

8. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: July 8, 1953.

Released: July 10, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-6316; Filed, July 16, 1953; 8:46 a. m.]

[47 CFR Part 3]

[Docket No. 10585]

STANDARD BROADCAST STATIONS

STANDARDS OF GOOD ENGINEERING PRACTICE

In the matter of amendment of the Standards of Good Engineering Practice Concerning Standard Broadcast Stations; Docket No. 10585.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. Section 1 of the Standards of Good Engineering Practice Concerning Standard Broadcast Stations provides that, for the purpose of calculating the presence and the degree of interference in the absence of actual measurements or design data, the effective fields for the several classes of stations shall be assumed to be as given in Table III of the standards. Accordingly, it is implicitly provided that the effective field of a particular antenna shall be estimated when no measured data is available but when the physical dimensions of the antenna and associated ground system are known. However, these standards presently provide no method of estimating the effective field of an antenna system from its physical dimensions. It has been common practice to base such estimates on accepted technical theories.

3. The 1950 North American Regional Broadcasting Agreement (NARBA) which presently awaits action on ratification, requires that notifications of new station assignments contain, as supplementary information, the effective field of omnidirectional antennas and that similar information be provided for stations hitherto notified. Whereas in some instances the effective fields may be based upon measurements, in many instances the effective fields must be estimated by the Commission in order to effectuate complete and proper notifications. Likewise, the agreement contains no method for evaluating the effective fields of omnidirectional antennas.

4. For the above reasons, it is hereby proposed to add to the Standards of Good Engineering Practice Concerning Standard Broadcast Stations, as Figure 8,[1] a curve representing values of unattenuated field, at 1 mile per kilowatt, for simple omnidirectional antennas as a function of antenna height. The curves depicted therein are for antennas with ground systems of at least 120 one-quarter wavelength wires and for theoretically perfect (no loss) antennas. Also included for convenience is a curve giving the dimensions of a wavelength at the frequencies in the standard broadcast band. Copies of proposed Figure 8 may be obtained from the Commission upon request.

5. The proposed figure was prepared by members of the Commission's engineering staff and is based upon theory and upon field intensity measurements which in large part are contained in proofs of performance filed with the Commission. The curve for antennas with finite losses was corroborated by the results of a number of field intensity surveys made of omnidirectional stations in Canada furnished by the Canadian Department of Transport in accordance with the 1950 NARBA.

6. It is also proposed to make certain revisions in the standards to provide for the use of proposed Figure 8. Specifically, it is proposed to delete the paragraph immediately preceding Table III in section 1 and to substitute therefor the following:

For the purpose of estimating the coverage and the interfering effects of stations, in the absence of field intensity measurements, use shall be made of Figure 8 which describes the estimated effective field, per kilowatt power input, of simple vertical omnidirectional antennas of various heights with ground systems of at least 120 one quarter wavelength radials. Certain approximations, based on the curve or other appropriate theory, may be made when other than such antennas and ground systems are employed but in any event the effective field to be employed shall not be less than given in the following:

7. Authority for the adoption of the proposed amendments is contained in sections 4 (i), 303 (f) and 303 (r) of the Communications Act of 1934, as amended.

8. Any interested party who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before September 8, 1953 a written statement or brief setting forth such comments. Comments in support of the proposed amendments may also be filed on or before the same date. Comments or briefs in reply to the original comments or briefs may be filed within 10 days from the last date for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action on this matter and, if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing will be given.

9. In accordance with the provisions of § 1.784 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: July 8, 1953.

Released: July 10, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-6317; Filed, July 16, 1953; 9:32 a. m.]

[1] Filed as part of original document.

[47 CFR Part 17]

[Docket No. 10583]

CONSTRUCTION, MARKING AND LIGHTING OF ANTENNA TOWERS AND SUPPORTING STRUCTURES

PAINTING AND LIGHTING EXISTING STRUCTURES

In the matter of amendment of § 17.43 of the Commission rules concerning the Construction, Marking and Lighting of Antenna Towers and Supporting Structures; Docket No. 10583.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. Section 17.43 of the Commission's rules provides as follows:

§ 17.43 *Painting and lighting existing structures.* Nothing in the criteria set forth in §§ 17.11 to 17.17 or this subpart concerning antenna structures or locations shall apply to painting and lighting those structures authorized prior to the effective date of this part except where lighting and painting requirements are reduced, in which case the lesser requirements may apply.

3. In order to effect a more uniform system of painting and lighting of antenna structures, to promote safety of air navigation, and to facilitate the orderly dispatch of Commission business, it is proposed to amend § 17.43 of the Commission rules and regulations, as set forth below so as to require (1) that all antenna structures be painted in accordance with § 17.23 either at the next time the structure is repainted or within a period of six years; and (2) that in those instances where two 25 watt or 40 watt bulbs are installed at the top of the structure, or where only one 100 or 111 watt bulb is in use at one time on the top of the structure, two 100 or 111 watt bulbs shall be installed, both to burn simultaneously, within a period of one year from date of notification of the required change.

4. Authority for the adoption of the proposed amendment is contained in sections 4 (i) 301, 303 (c) (d) (f), (q) and (r) and 307 (b) of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before August 17, 1953 a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: July 8, 1953.

Released: July 10, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

It is proposed to amend § 17.43 to read as follows:

§17.43 *Painting and lighting existing structures.* (a) All existing antenna structures required to be painted in accordance with the terms of an instrument or authorization dated prior to March 30, 1953, shall be painted in the manner set forth in § 17.23 at the time when the antenna structure is required to be repainted (see § 17.39) or in no event later than March 30, 1959.

(b) All existing antenna structures required to be lighted in accordance with

the terms of an authorization requiring only the following lighting specifications shall change to the lighting specifications set forth below as soon as practicable or in no event later than one year from the date of the next instrument of authorization that is issued to the station:

Existing Lighting Specifications FCC Form No.	*New Lighting Specifications Rule No.*
715-1	§ 17.24 (a) (1).
715-2 or B (6)-2	§§ 17.24 (a) (1) and 17.26 (a) (2).
715-4 or B (6)-4	§§ 17.24 (a) (1) and 17.26 (a) (2).

(c) Except as set forth in paragraphs (a) and (b) of this section, nothing in the criteria set forth in §§ 17.11 to 17.17 or this subpart concerning antenna structures or locations shall apply to painting and lighting those structures authorized prior to March 30, 1953 except where lighting and painting requirements are reduced, in which case the lesser requirements may apply.

[F. R. Doc. 53-6315; Filed, July 16, 1953; 8:46 a. m.]

NOTICES

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9187]

ZIVA RAY BROWN

ORDER CONTINUING HEARING

In the matter of Ziva Ray Brown, Huntington Beach, California; application for renewal of Radiotelegraph First Class Operator License T-12-1097; Docket No. 9187.

The Commission having under consideration, on its own motion, the matter of scheduling the time and place for a hearing in the above-entitled proceeding; and

It appearing, that the hearing in the above-entitled matter was, by order dated April 15, 1953, scheduled to be held on August 13, 1953, at a place to be specified by further order of the Commission; and

It further appearing, that there is presently scheduled in the State of California a hearing to be held on August 13, 1953; and that it would conduce to the proper dispatch of Commission business to reschedule the hearing in the instant proceeding to a date shortly thereafter at Los Angeles, California,

It is ordered, This 9th day of July 1953, that the hearing in the above-entitled matter be held commencing at 10:00 a. m. on August 21, 1953, at Los Angeles, California.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-6310; Filed, July 16, 1953; 8:45 a. m.]

[Docket No. 9710]

MARSHALL FORMBY

NOTICE OF HEARING

In re application of Marshall Formby, Spur, Texas; for construction permit; Docket No. 9710, File No. BP-7577.

Notice is hereby given that the hearing in the above-entitled proceeding will be held in the offices of the Federal Communications Commission, Washington, D. C., at 10:00 o'clock a. m., on Monday, September 14, 1953.

Dated this 10th day of July 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-6311; Filed, July 16, 1953; 8:45 a. m.]

[Docket No. 10584]

BLOOM RADIO

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Harry L. Magee tr/as Bloom Radio, Bloomsburg, Pennsylvania; for construction permit; Docket No. 10584, File No. BP-8494.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of July 1953;

The Commission having under consideration the above-entitled application for construction permit to change the operating frequency from 690 kc to 550 kc, change power and hours of operation from 1 kw. daytime to 500 watts, unlimited time, install a directional antenna system for day and night use and to change transmitter location.

It appearing, that the applicant is legally technically, financially and otherwise qualified to operate Station WHLM as proposed, that no interference would be caused to any existing or proposed station, but that the proposed operation will be limited at night to the 16.65 mv/m contour, whereas, the normally protected contour for this class station (III-B) is the 4 mv/m contour and will be limited during daytime hours well within the normally protected 0.5 mv/m contour and, hence, may not comply with the Standards of Good Engineering Practice; particularly with reference to the excessive ratio of population lost within the normally protected contour to population served both day and night; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the applicant was advised by letter dated April 29, 1953 of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of the application would be in the public interest; and

It further appearing, that the applicant filed a reply on May 29, 1953; and

It further appearing, that the Commission, after consideration of the reply, is still unable to conclude that a grant would be in the public interest;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether the installation and operation of the proposed station would be in compliance with the Commission rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to the excessive ratio of population lost within the normally protected contour to population served for both daytime and nighttime operation.

Released: July 13, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-6312; Filed, July 16, 1953; 8:45 a. m.]

[Docket No. 10586]

MARJORIE RUTH WHITE

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Majorie Ruth White, Waverly, Ohio; for construction permit; Docket No. 10586, File No. BP-8707.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of July 1953;

The Commission having under consideration the above-entitled application of Marjorie Ruth White for a construction permit for a new standard broadcast station to operate on 1590 kc, with a power of 500 watts, daytime only, at Waverly, Ohio;

It appearing, that the applicant is legally and technically qualified to operate the proposed station, but that the application may involve interference with Stations WKOV Wellston, Ohio and WVKO, Columbus, Ohio; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicant was advised by letter dated March 25, 1953 of the aforementioned interference and the financial deficiencies, and that the Commission was unable to conclude that a grant of the application would be in the public interest;

It further appearing, that replies have been received to the Commission's letters from the applicant and Radio Stations WKOV and WVKO on April 23, April 3 and April 2, 1953, respectively; and

It further appearing, that, the Commission, after consideration of the replies, is still unable to conclude that a grant would be in the public interest, and, moreover, is of the opinion that under section 316 of the Communications Act of 1934, as amended, a hearing is mandatory·

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the financial qualifications of the applicant to operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with Radio Stations WKOV Wellston, Ohio and WVKO, Columbus, Ohio, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

It is further ordered, That the Sky Way Broadcasting Corporation, licensee of Radio Station WVKO, Columbus, Ohio and Stephen H. Kovalan, licensee of Radio Station WKOV, Wellston, Ohio are made parties to this proceeding.

Released: July 13, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-6313; Filed, July 16, 1953; 8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6247]

CENTRAL MAINE POWER CO.

NOTICE OF ORDER APPROVING MAINTENANCE OF PERMANENT CONNECTION FOR EMERGENCY USE ONLY

JULY 13, 1953.

Notice is hereby given that on July 9, 1953, the Federal Power Commission issued its order adopted July 7, 1953, approving maintenance of permanent connection for emergency use only in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6342; Filed, July 16, 1953; 8:51 a. m.]

[Docket No. E-6477]

CENTRAL VERMONT PUBLIC SERVICE CORP.

NOTICE OF ORDER AUTHORIZING AND APPROVING ACQUISITION AND MERGER OR CONSOLIDATION OF FACILITIES

JULY 13, 1953.

Notice is hereby given that on July 7, 1953, the Federal Power Commission issued its order adopted July 7, 1953, authorizing and approving acquisition and merger or consolidation of facilities in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6343; Filed, July 16, 1953; 8:51 a. m.]

[Docket No. E-6507]

DUKE POWER CO.

NOTICE OF APPLICATION

JULY 10, 1953.

Take notice that on July 10, 1953, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Duke Power Company, a corporation organized under the laws of the State of New Jersey and doing business in the States of North Carolina and South Carolina, with its principal business office at Charlotte, North Carolina, seeking an order authorizing the issuance of $35,000,000 First and Refunding Mortgage Bonds, __ percent Series due 1983, and 208,321 shares of Common Stock, without par value. The proposed Bonds will be issued by competitive bidding will be dated September 1, 1953, and will mature September 1, 1983. The proposed Common Stock will be offered for subscription pro rata to the holders of the outstanding Common Stock of applicant pursuant to their preemptive right to subscribe to such additional shares. Each Common Stock holder will have the right to subscribe for additional shares of Common Stock at the rate of 1 share for each 20 shares of Common Stock held as of record, on a date to be fixed by applicant's Board of Directors. Each Common Stock holder will be accorded an Additional Subscription Privilege, pursuant to which he may subscribe for any number of such of the 208,321 additional shares of Common Stock as are not subscribed for through exercise of the Right to Subscribe mentioned above. Such Additional Subscription Privileges may not be exercised unless the right to subscribe is also exercised; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 31st day of July 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6337; Filed, July 16, 1953; 8:50 a. m.]

[Docket Nos. G-1839, G-2152]

LONE STAR GAS CO.

NOTICE OF FINDINGS AND ORDER

JULY 13, 1953.

Notice is hereby given that on July 8, 1953, the Federal Power Commission issued its order adopted July 7, 1953, permitting and approving abandonment and amending order (17 F. R. 3006) issuing certificate of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6344; Filed, July 16, 1953; 8:51 a. m.]

[Docket No. G-1907]

SOUTHERN NATURAL GAS CO.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JULY 12, 1953.

Notice is hereby given that on July 8, 1953 the Federal Power Commission issued its order adopted July 7, 1953, modifying order (17 F. R. 10126-27) issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6345; Filed, July 16, 1953; 8:51 a. m.]

[Docket No. G-1961]

SOUTH CAROLINA NATURAL GAS CO.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JULY 13, 1953.

Notice is hereby given that on July 8, 1953, the Federal Power Commission issued its order adopted July 7, 1953, modifying order (18 F. R. 2773) issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6346; Filed, July 16, 1953; 8:51 a. m.]

[Docket Nos. G-1972, G-1999, G-2000]

NEW YORK STATE NATURAL GAS CORP. AND NEW YORK STATE ELECTRIC & GAS CORP.

NOTICE OF FINDINGS AND ORDER

JULY 13, 1953.

Notice is hereby given that on July 10, 1953, the Federal Power Commission issued its findings and order adopted July 9, 1953, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6347; Filed, July 16, 1953; 8:52 a. m.]

[Docket No. G-2163]

LONE STAR GAS CO.

NOTICE OF FINDINGS AND ORDER

JULY 13, 1953.

Notice is hereby given that on July 8, 1953, the Federal Power Commission

issued its findings and order adopted July 7, 1953, issuing certificate of public convenience and necessity and permitting and approving abandonment in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-6348; Filed, July 16, 1953; 8:52 a. m.]

[Docket No. G-2198]

ARKANSAS LOUISIANA GAS CO.

NOTICE OF APPLICATION

JULY 13, 1953.

Take notice that Arkansas Louisiana Gas Company (Applicant) a Delaware corporation having its principal place of business in Shreveport, Louisiana, filed on June 24, 1953, an application for an order disclaiming jurisdiction or, in the alternative, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain facilities for the transportation and sale of natural gas, all as hereinafter described.

The facilities which Applicant proposes to construct and operate include the following: A tap on Applicant's Line CM-14 at approximately Station 1193+62 with meter and regulator facilities at that point, and extending from said tap a 6⅝" OD pipe line 71,400 feet in length terminating at the corporate limits of the Town of De Kalb, Texas,[1] together with appurtenant facilities.

Applicant, by means of its proposed facilities, will transport and supply natural gas for ultimate distribution in De Kalb and render some service to consumers along the route of the pipe line between De Kalb and the tap on Line-CM, which route passes through the Community of Malta. Applicant estimates its annual sales of natural gas for the first and fifth year to be 70,225 Mcf and 104,900 Mcf, respectively, in the area proposed to be supplied natural gas by means of its proposed facilities.

The estimated cost of the facilities above-described is $189,121. Such facilities will be financed out of Applicant's cash reserves.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 31st day of July 1953.

The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-6338; Filed, July 16, 1953; 8:50 a. m.]

[1] Applicant proposes to construct and operate a distribution system in the Town of De Kalb.

[Docket No. G-2200]

GAS TRANSPORT, INC.

NOTICE OF APPLICATION

JULY 13, 1953.

Take notice that Gas Transport, Inc. (Applicant) a Delaware corporation having its principal place of business in Lancaster, Ohio, filed on June 24, 1953, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural gas facilities as hereinafter described.

Applicant proposes to construct and operate approximately 10 miles of 4-inch pipe line extending from a point in the Belleville gas field in Wood and Jackson counties, West Virginia, to a point of connection with Applicant's existing 14-inch pipe line in Wood County, West Virginia, for the purpose of augmenting Applicant's gas supply. Applicant estimates the cost of the facilities at $37,996, and proposes to accomplish the financing out of cash on hand.

Applicant's parent company, Anchor Hocking Glass Corporation, in effect purchases all of Applicant's firm deliveries of gas through an arrangement whereby Applicant delivers gas to Ohio Fuel Gas Company and Anchor Hocking Glass Corporation receives an equivalent quantity of gas from Ohio Fuel Gas Company.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 31st day of July 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-6339; Filed, July 16, 1953; 8:50 a. m.]

[Docket No. G-2208]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF APPLICATION

JULY 13, 1953.

Take notice that on July 3, 1953, Texas Eastern Transmission Corporation (Applicant) a Delaware corporation with its principal place of business at Shreveport, Louisiana, filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act authorizing the construction and operation of certain natural-gas pipe-line facilities hereinafter described.

The Applicant proposes to construct and operate:

(1) A 6-inch lateral transmission line from the Englehart Field in Colorado County, Texas, approximately 5.3 miles to Applicant's 24-inch Provident City-Castor pipe line;

(2) An 8-inch lateral transmission line from the Big Hill Field in Jefferson County, Texas, approximately 11.5 miles to Applicant's 16-inch Provident City-Beaumont pipe line and Applicant's 20-inch Texas Loop Line; and

(3) A 4,400-horsepower compressor station on Applicant's 24-inch Provident City-Castor pipe line at a point in Shelby County, Texas.

Applicant proposes to purchase approximately 10,000 Mcf of natural gas per day in the Englehart Field, Texas, and approximately 10,000 Mcf of natural gas per day in the Big Hill Field, Texas, and to transport such volumes of gas from points of purchase to its existing main-line facilities through the proposed lines set out at (1) and (2) above, respectively. Applicant proposes to increase the line capacity of its existing Provident City-Castor 24-inch line by means of the proposed 4,400 horsepower compressor station.

Applicant states that the estimated cost of the proposed facilities is $1,981,900, which it proposes to finance out of current funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 31st day of July 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-6340; Filed, July 16, 1953; 8:50 a. m.]

[Docket No. ID-1191]

CHARLES L. HULSWIT

NOTICE OF ORDER AUTHORIZING APPLICANT TO HOLD CERTAIN POSITIONS

JULY 13, 1953.

Notice is hereby given that on July 9, 1953, the Federal Power Commission issued its order adopted July 7, 1953, authorizing applicant to hold certain positions pursuant to section 305 (b) of the Federal Power Act in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-6349; Filed, July 16, 1953; 8:52 a. m.]

[Project No. 943]

PUGET SOUND POWER & LIGHT CO. AND PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY, WASHINGTON

NOTICE OF APPLICATION FOR AMENDMENT OF LICENSE

JULY 13, 1953.

Public notice is hereby given that Puget Sound Power & Light Company, of Seattle, Washington, and Public Utility District No. 1 of Chelan County, Washington, of Wenatchee, Washington, have filed an application jointly and severally under the Federal Power Act (16 U. S. C. 791a-825r) for amendment of license for constructed water power Project No. 943 (Rock Island) located on the Columbia River, navigable waters of the United States, in Douglas and Chelan Counties, Washington. Amend-

ment of the license is requested by applicants to authorize an increase in the normal operating pond level at the dam from elevation 604.0 to elevation 606.0 for river flows less than 350,000 cubic feet per second, by installation of permanent flashboards 2 feet 6 inches high on the tops of the spillway crest gates, thereby raising the top of the gates to elevation 606.5, except that adjustable flashboards 5 feet high will be installed adjacent to the fish ladders. Raising of the normal operating pond level to elevation 606.0 will increase the average annual energy output of all units at Rock Island plant by an estimated 73,000,000 kilowatt hours for use in licensees' system.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10) on or before the 13th day of August 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-6341; Filed, July 16, 1953; 8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28262]

SUPERPHOSPHATE AND FERTILIZER COMPOUNDS FROM KANSAS CITY AND NORTH KANSAS CITY, MO., TO CLINTON, MO.

APPLICATION FOR RELIEF

JULY 14, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for the Missouri-Kansas-Texas Railroad Company.

Commodities involved: Superphosphate (acid phosphate) and fertilizer compounds.

From: Kansas City and North Kansas City, Mo.

To: Clinton, Mo.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, tariff I. C. C. No. 3932, supp. 84.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53-6325; Filed, July 16, 1953; 8:48 a. m.]

[4th Sec. Application 28263]

MALT LIQUORS FROM POINTS IN ILLINOIS AND WESTERN TRUNK-LINE TERRITORIES TO LUBBOCK, TEX.

APPLICATION FOR RELIEF

JULY 14, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Malt liquors: Ale, beer, beer tonic, porter or stout, and cereal beverages, carloads.

From: Points in Illinois and western trunk-line territories.

To: Lubbock, Tex.

Grounds for relief: Competition with rail carriers, circuitous routes, to maintain grouping.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3912, supp. 195.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53-6326; Filed, July 16, 1953; 8:48 a. m.]

[4th Sec. Application 28264]

MIXED FEED FROM POINTS IN FLORIDA TO SANDERSVILLE, GA.

APPLICATION FOR RELIEF

JULY 14, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Feed, animal or poultry, carloads and less than carloads.

From: Points in Florida.

To: Sandersville, Ga.

Grounds for relief: Competition with rail carriers, circuitous routes, to apply rates constructed on the basis of the short-line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, tariff I. C. C. No. 1308, supp. 9.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53-6327; Filed, July 16, 1953; 8:48 a. m.]

[4th Sec. Application 28265]

SULPHURIC ACID FROM CALVERT, KY., TO CHATTANOOGA, TENN.

APPLICATION FOR RELIEF

JULY 14, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for The Cincinnati, New Orleans and Texas Pacific Railway Company, Illinois Central Railroad Company, The Nashville, Chattanooga & St. Louis Ry., and the Southern Railway Company.

Commodities involved: Sulphuric acid, in tank-car loads.

From: Calvert, Ky.

To: Chattanooga, Tenn.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, tariff I. C. C. No. 1357, supp. 9.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with

respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-6328; Filed, July 16, 1953; 8:48 a. m.]

[4th Sec. Application 28266]

PETROLEUM PRODUCTS FROM KIPLING AND WELLS, MICH., TO POINTS IN WISCONSIN AND MICHIGAN

APPLICATION FOR RELIEF

JULY 14, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by W. J. Prueter, Agent, for carriers parties to schedules listed below.

Commodities involved: Gasoline and other petroleum products, in tank-car loads.

From: Kipling and Wells, Mich.

To: Points in Wisconsin and upper peninsula of Michigan within radius of 300 miles of origins.

Grounds for relief: Competition with rail carriers, circuitous routes, competition with motor carriers, to maintain grouping.

Schedules filed containing proposed rates: C&NW Ry. tariff I. C. C. No. 11266; CMStP&P RR tariff I. C. C. No. B-7777; E&LS RR tariff I. C. C. No. 99, supp. 1, MStP&SSM RR tariff I. C. C. No 7189, supp. 65.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-6329; Filed, July 16, 1953; 8:49 a. m.]

[No. 31307]

TENNESSEE INTRASTATE FREIGHT RATES AND CHARGES

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 8th day of July A. D. 1953.

It appearing, that a petition, dated June 9, 1953, has been filed on behalf of the Alabama Great Southern Railroad Company and other common carriers by railroad operating to, from, and between points in the State of Tennessee, in interstate and intrastate commerce, averring that in Ex Parte No. 175, Increased Freight Rates, 1951, 280 I. C. C. 179, 281 I. C. C. 557, and 284, I. C. C. 589, the Commission authorized carriers subject to the Interstate Commerce Act parties thereto to make certain increases in their freight rates and charges for interstate application throughout the United States; and that increases under such authorizations have been made;

It further appearing, that the petitioners allege that the Railroad and Public Utilities Commission of the State of Tennessee, by various orders, has refused to authorize or permit them to apply to the transportation of the following commodities, moving intrastate by railroad in Tennessee, increases in freight rates and charges thereon corresponding to those approved for interstate application in the proceeding above cited:

Brick and related articles.
Cement.
Clay or shale.
Coal.
Coke.
Fertilizer and fertilizer materials.
Limestone (agricultural).
Phosphate rock (for direct application to the soil).
Road aggregates (in open top cars).
Slag (agricultural).
Wood (acid, chemical, fuel or pulp).

It further appearing, that the petitioners allege that such refusal causes and results in undue and unreasonable advantage, preference, and prejudice as between persons and localities in intrastate commerce, on the one hand, and interstate commerce, on the other hand, and in undue, unreasonable and unjust discrimination against interstate commerce in violation of section 13 of the Interstate Commerce Act;

And it further appearing, that there have been brought in issue by the said petition rates and charges made or imposed by authority of the State of Tennessee:

It is ordered, That, in response to the said petition, an investigation be, and it is hereby, instituted, and that a hearing be held therein for the purpose of receiving evidence from the respondents hereinafter designated and any other persons interested to determine whether the rates and charges of the common carriers by railroad, or any of them, operating in the State of Tennessee, for intrastate transportation of property, made or imposed by authority of the State of Tennessee, cause or will cause, by reason of the failure of such rates and charges to include increases corresponding to those permitted by this Commission for interstate traffic in said Ex Parte No. 175, Increased Freight Rates, 1951, supra, any undue or unreasonable advantage, preference, or prejudice, as between persons or localities in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other hand, or any undue, unreasonable, or unjust discrimination against interstate or foreign commerce; and to determine what rates and charges, if any, or what maximum, or minimum, or maximum and minimum rates and charges shall be prescribed to remove the unlawful advantage, preference, prejudice, or discrimination, if any, that may be found to exist;

It is further ordered, That all common carriers by railroad operating within the State of Tennessee which are subject to the jurisdiction of this Commission be, and they are hereby, made respondents to this proceeding; that a copy of this order be served upon each of the said respondents; and that the State of Tennessee be notified of the proceeding by sending copies of this order and of said petition by registered mail to the Governor of the said State and to the Railroad and Public Utilities Commission of the State of Tennessee, at Nashville, Tennessee;

It is further ordered, That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission, at Washington, D. C., for public inspection, and by filing a copy with the Director, Division of the Federal Register, Washington, D. C.,

And it is further ordered, That this proceeding be assigned for hearing at a time and place hereafter to be designated.

By the Commission, Division 1.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-6330; Filed, July 16, 1953; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-193, 54-201]

UNITED GAS IMPROVEMENT CO.

ORDER AUTHORIZING LIMITED ACQUISITIONS FOR PURPOSE OF STABILIZATION

JULY 13, 1953.

The Commission having issued an order on June 15, 1951 pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 ("act"), in proceedings concerning the United Gas Improvement Company ("UGI") which required, among other things, that UGI sever its relationship with certain therein named companies including Central Illinois Light Company ("Central Illinois"), in any appropriate manner not in contravention of the provisions of the act and the rules and regulations promulgated thereunder, by causing the disposition of its direct and indirect ownership, control and holdings of securities issued by such companies; and

The Commission having, on September 18, 1952, issued its findings, opinion and order approving a comprehensive plan filed by UGI for the purpose of complying with the Commission's order of June 15, 1951, and

UGI having notified the Commission, pursuant to Rule U-44 (c) of the general rules and regulations under the act, of its intention to sell its holdings of common stock of Central Illinois consisting of 35,340 shares, such sale to be made pursuant to advertisement in appropriate newspapers of UGI's intention to sell such stock and to receive sealed bids therefor.

UGI having represented that, in connection with such sale, it desires to purchase, and requests authority from the Commission to acquire, not more than 5,000 shares of common stock of Central Illinois for the purpose of stabilizing the market for that stock, any such purchases to be made on the New York Stock Exchange, to commence at the opening of the market on the date on which the foregoing advertisement is published, to be at prices (exclusive of commissions) not in excess of the last preceding sale price of Central Illinois common stock on such exchange, and to continue until the acceptance or rejection by UGI of any bid made for Central Illinois stock, and UGI having further represented that it intends to sell any shares so purchased for stabilizing purposes together with the other shares of Central Illinois proposed to be sold; and

The Commission having notified UGI that no declaration need be filed with respect to the proposed disposition pursuant to such notice, and that the ten-day period prescribed in Rule U-44 (c) has been waived; and

It appearing to the Commission that the proposed acquisition of shares of Central Illinois common stock for the purpose of stabilization, subject to the commitment to dispose of such stock, is appropriate and is in accordance with the applicable standards of the act, and that an order should be entered approving such acquisitions:

It is ordered, That the application of the United Gas Improvement Company for authority to acquire not in excess of 5,000 shares of common stock of Central Illinois Light Company, for the purposes of stabilizing the market of that stock, in accordance with the application of the United Gas Improvement Company, be, and is hereby approved, effective forthwith, subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-6321; Filed, July 16, 1953; 8:47 a. m.]

[File No. 70-3105]

DUQUESNE LIGHT CO.

NOTICE OF FILING OF DECLARATION REGARDING ISSUANCE AND SALE TO BANK OF UNSECURED NOTES

JULY 13, 1953.

Notice is hereby given that Duquesne Light Company ("Duquesne"), a subsidiary of Philadelphia Company, a registered holding company and a subsidiary of Standard Gas and Electric Company, which in turn is a subsidiary of Standard Power and Light Corporation, both being registered holding companies, has filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act"), a declaration regarding a proposal to issue and sell to a bank $2,500,000 of unsecured notes. Declarant has designated sections 6 (a) and (7) of the act as applicable to the proposed issue and sale of securities.

All interested persons are referred to the declaration on file in the office of this Commission for a complete statement of the transactions therein proposed, which are summarized as follows:

Duquesne proposes to issue and sell, at the principal amount thereof, to Mellon National Bank and Trust Company, an aggregate of $2,500,000 principal amount of unsecured notes. The notes are to be issued from time to time during the period July 30 to September 30, 1953, are to bear interest at the prime rate prevailing on short-term bank borrowings at the date of issuance, and are to mature December 16, 1953. The company is to have the right at any time to prepay all or any part of the notes without penalty. The declaration does not state that any commitment fee is to be paid. The proceeds from the issue and sale of securities are to be used to pay a portion of the cost of the company's 1953 construction program, estimated at $36,000,000. No fees and expenses, other than miscellaneous expenses estimated at $100, are to be paid in connection with the transactions.

In explanation of the reasons for the declaration it is stated: Duquesne has outstanding bank notes, issued in March and June 1953 and maturing December 16, 1953, aggregating $10,900,000 principal amount, the issuance of which exhausted the company's exempt borrowing power under section 6 (b) of the act. In addition Duquesne has outstanding a bank note for the principal amount of $1,500,000 dated June 30, 1953, due December 16, 1953, issued pursuant to the order of this Commission dated June 23, 1953, granting Duquesne authorization to borrow an aggregate of $2,500,000 in excess of the $10,900,000 previously borrowed, and the company expects to take down the remaining $1,000,000 of such previous authorization. The $2,500,000 for which authorization is now being asked is in addition to such prior borrowings and authorizations. It is further stated that on or before the maturity of the notes to be issued, the company intends to retire all its short-term notes with the proceeds of the sale of securities of a more permanent type to be issued pursuant to a financing program now being formulated, which it is expected will be completed in late September 1953.

The declaration also states that no other Federal Commission and no State Commission has jurisdiction over the proposed transactions, and that the proposed issue and sale of notes is exempt from the competitive bidding requirements of Rule U-50 under the provisions of paragraph (a) (2) thereof.

Notice is hereby given that any interested person may, not later than July 24, 1953, at 5:30 p. m., e. d. t., request in writing that a hearing be held in respect of such matters, stating the nature of his interest, the reason for such request, and the issues of fact or law, if any, raised by said declaration which he desires to controvert, or he may request that he be notified if the Commission orders a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after July 24, 1953, the declaration, as filed or as amended, may be permitted to become effective, as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 of such rules.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-6324; Filed, July 16, 1953; 8:48 a. m.]

[File No. 70-3106]

OHIO VALLEY ELECTRIC CORP. ET AL.

NOTICE OF FILING REGARDING PROPOSED ISSUANCE OF CERTAIN BONDS AND NOTES AND PRIVATE SALE THEREOF; INTER-COMPANY ISSUANCE AND ACQUISITION OF SECURITIES AND OTHER RELATED TRANSACTIONS ALL INCIDENT TO CONSTRUCTION AND OPERATION OF FACILITIES TO SERVE AN ATOMIC ENERGY PROJECT

JULY 13, 1953.

In the matter of Ohio Valley Electric Corporation, Indiana-Kentucky Electric Corporation et al., File No. 70-3106.

Notice is hereby given that American Gas and Electric Company ("American Gas"), a registered holding company, and three of its public utility subsidiaries, Appalachian Electric Power Company ("Appalachian"), the Ohio Power Company ("Ohio Power"), and Indiana and Michigan Electric Company ("Indiana and Michigan") the West Penn Electric Company ("West Penn Electric"), a registered holding company, and three of its public utility subsidiaries, Monongahela Power Company ("Monongahela") the Potomac Edison Company ("Potomac Edison"), and West Penn Power Company ("West Penn Power") Ohio Edison Company ("Ohio Edison"), a registered holding company, and its subsidiary, Pennsylvania Power Company ("Pennsylvania Power"), and the Cincinnati Gas and Electric Company ("Cincinnati Gas"), a public utility company and an exempt holding company; Kentucky Utilities Company ("Kentucky"), a public utility company and an exempt holding company; Louisville Gas and Electric Company ("Louisville"), a public utility company and an exempt holding company; and Ohio Valley Electric Corporation ("Ohio Valley"), an exempt holding company, and its subsidiary Indiana-Kentucky Electric Corporation ("Indiana-Kentucky"), the latter two

companies also being subsidiaries of the three afore-named registered holding companies, i. e., American, West Penn Electric and Ohio Edison, have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("act") and have designated sections 6, 7, 9, 10, 12 (f) and 12 (g) of the act and rules thereunder including U-100, as applicable to the proposed transactions which are summarized as follows:

The proposed transactions stem from a proposal made in May 1952 to the United States Atomic Energy Commission ("AEC") by fifteen public utility companies, whose operations are conducted in and around the State of Ohio, with respect to supplying the AEC with electric energy in connection with the operation of a gaseous diffusion plant to be located in the vicinity of Portsmouth, Ohio, and known as the "Portsmouth Area Project"

As the principal corporate instruments for supplying the electric energy requirements of the new AEC project, Ohio Valley and Indiana-Kentucky were organized for the purpose of constructing, owning and operating two electric generating stations having a combined capability of 2,200,000 kw., together with related facilities. One of the generating stations to be located in the southeastern part of Ohio is to be owned by Ohio Valley, the other to be located in Indiana is to be owned by Indiana-Kentucky. The two generating stations would be connected with the AEC plant and with certain existing facilities of the sponsoring public utility companies by 330,000 volt transmission lines. Under the arrangement, all of the capital stock of Indiana-Kentucky would be owned by Ohio Valley, which is the party to a Power Agreement entered into with the AEC under date of October 15, 1952.

In November 1952 the Commission issued its findings and opinion and order (Holding Company Act Release No. 11578) discussing the proposed project and permitting among other things (a) the issuance and sale of common stock by Indiana-Kentucky to Ohio Valley and (b) the issuance and sale by Ohio Valley, from time to time prior to January 1, 1957, of equity securities in an amount not to exceed $20,000,000, such stock to be sold at par to the following named companies in the percentages as set forth after their names: American Gas 37.8 percent, Cincinnati Gas 9.0 percent, Ohio Edison 16.5 percent, West Penn Electric 12.5 percent, Louisville 7.0 percent, and Kentucky 2.5 percent, Columbus and Southern Ohio Electric Company ("Columbus") 4.3 percent, Dayton Power & Light Company ("Dayton") 4.9 percent, Southern Indiana Gas and Electric Company ("Southern-Indiana") 1.5 percent, and the Toledo Edison Company ("Toledo") 4.0 percent. (The acquisitions by the four last-named companies were not subject to this Commission's jurisdiction) These ten named companies are hereinafter referred to as the "participating companies"

The present proposals relate to (1) the issuance by Ohio Valley and Indiana-Kentucky of debt securities to finance a major portion of their capital requirements with respect to the facilities to be constructed pursuant to the AEC Power Agreement, and (2) the entering into of contractual arrangements relating to the construction, operation and financing of the facilities proposed to be constructed by Ohio Valley and Indiana-Kentucky. The cost of the facilities, including the necessary working capital, are estimated to range from a minimum of $370,000,000 to a maximum of $440,000,000 of which amount it is estimated that Ohio Valley and Indiana-Kentucky will require funds in approximately equal proportions. Under the terms of an agreement proposed to be entered into, Ohio Valley, subject to certain terms and conditions, is obligated to supply Indiana-Kentucky with funds to enable it to construct the Indiana-Kentucky facilities and supply initial working capital.

According to the applicants-declarants, Ohio Valley and Indiana-Kentucky have commenced the necessary excavation and preliminary construction operations and have expended approximately $5,000,000 in connection therewith; construction requirements will, in the very near future, require the expenditure of amounts greatly in excess of the equity securities which Ohio Valley was recently authorized to issue and it is therefore proposed that the major part of the necessary funds be obtained through the issuance and sale by Ohio Valley of First Mortgage and Collateral Trust Bonds in an aggregate principal amount not in excess of $360,000,000 and unsecured notes in an aggregate principal amount not in excess of $60,000,000.

The First Mortgage and Collateral Trust Bonds are to bear interest at the rate of 3¾ percent per annum, are due in 1982, are being issued pursuant to a proposed Mortgage and Deed of Trust to be dated as of July 1, 1953, between Ohio Valley and the Chase National Bank of the City of New York and Carl E. Buckley as trustees and are to be sold at the principal amount thereof to 39 financial institutions, including 27 insurance companies.

The bonds are to be secured by a mortgage on substantially all of Ohio Valley's properties, and the pledge of the Power Agreement between Ohio Valley and AEC, an inter-company Power Agreement, an inter-company Bond Agreement and other agreements relating to the performance of engineering and other services. As additional security for the bonds, Ohio Valley will pledge all of the common stock of Indiana-Kentucky issued and to be issued, and not in excess of $230,000,000 principal amount of First Mortgage Bonds, 3¾ percent Series, due 1982, of Indiana-Kentucky, the issuance and sale of which bonds are among the several transactions proposed in the pending joint application-declaration.

The Indiana-Kentucky bonds are being issued pursuant to a proposed Mortgage and Deed of Trust to be dated as of July 1, 1953 between Indiana-Kentucky and the Chase National Bank of the City of New York and Carl E. Buckley as trustees. The bonds are to be secured by a mortgage on substantially all of Indiana-Kentucky's properties, the pledge of a Power Agreement between Ohio Valley relating, among other things, to the construction and operation of certain facilities, and agreements relating, among other things, to performance of engineering and other services.

The mortgages of both Ohio Valley and Indiana-Kentucky provide for a sinking fund which is designed to retire their respective bond issues over a 25-year period beginning with the first year of full scale operations, estimated to be 1957.

Under the terms of the Bank Credit Agreement dated July 1, 1953 between Ohio Valley and 14 lenders, including 13 banks, Ohio Valley proposes to issue not in excess of $60,000,000 principal amount of unsecured notes. The notes are to be dated as of the borrowing, are stated to mature on January 1, 1967 and will bear interest until the principal shall become due and payable (whether at the stated maturity, by acceleration, or otherwise), at the rate of 4 percent per annum, or thereafter at the rate of 6 percent per annum until paid.

The joint application-declaration indicates that at maturity the bank notes will be reduced to approximately $12,200,000, which balance, it is anticipated, will be refinanced and retired during the following two-year period. This reduction of the bank indebtedness is to be accomplished through payments derived from operating revenues of the project and by the application of funds made available to Ohio Valley by the participating companies through the purchase for cash of "subordinated notes" of Ohio Valley in an aggregate principal amount estimated not to exceed $8,000,000.

The subordinated notes which are to be issued and sold at an amount estimated to be $800,000 per year beginning with the first year of full scale operation, represent the equivalent of a reinvestment of 50 percent of the estimated dividends payable to the participating companies over a ten-year period. These notes mature in each case not less than 12 nor more than 13 years from the date of issuance and are to be retired from revenues derived from operations of the project. They are to bear upon their face a legend to the effect that such note is subordinated to the outstanding bank notes. No payment is to be made upon the principal of the subordinated notes unless and until the bank notes are paid in full. Interest on the subordinated notes may be paid except in the event of a default in which instance interest payments are to cease until the default shall have been cured or the bank notes paid in full. The participating companies have also agreed not to commence any action or join with any creditor in bringing any proceeding against Ohio Valley to recover all or any part of the subordinated notes unless and until the bank notes have been paid in full. In the event of receiverships, insolvency, etc., the claims on the subordinated notes will be junior to that of the bank notes.

Ohio Valley proposes to issue the First Mortgage and Collateral Trust Bonds and Bank Notes from time to time prior to January 1, 1957, as required, and proposes that on each such installment,

bonds will be issued aggregating six times the principal amount of bank notes to be issued on such installment.

Ohio Valley is to pay a commitment fee at the rate of ½ of 1 percent per annum on the unused portion of funds to be derived from the bonds and bank notes. Indiana-Kentucky has agreed to reimburse Ohio Valley for the payment of the commitment fee on that portion of the debt capital made available for the construction of the Indiana-Kentucky facilities.

The Power Contract between AEC and Ohio Valley contains provisions under which AEC may terminate the contract either during full scale operation or prior thereto upon the giving of the requisite notice; in either event AEC is obligated to pay cancellation charges computed in accordance with the terms of the contract.

The fees and expenses to be incurred in connection with the proposed transactions and also those incident to the issuance and acquisition of Ohio Valley's common stock, heretofore considered by the Commission, have not yet been determined and are to be supplied by amendment.

The applicants-declarants have requested an exemption from the competitive requirements of Rule U-50 with respect to the proposed issuance of bonds and notes and have also requested our approval of the several transactions herein proposed.

It is further requested that the Commission's order to be entered herein become effective upon the date of issuance thereof.

According to applicants-declarants, the issuance of bonds, notes and subordinated notes by Ohio Valley are the subject of an application on file with the Public Utilities Commision of Ohio; the issuance of bonds of Indiana-Kentucky is the subject of an application filed with the Public Service Commission of Indiana; and the acquisition of Ohio Valley subordinated notes by West Penn Electric, the execution by the latter company of the Inter-Company Bank Credit Agreement, and the Inter-Company Bond Agreement, and the execution by Potomac of the Inter-Company Power Agreement and the First Supplementary Transmission Agreement, are to be effective pursuant to an order of the Public Service Commission of Maryland. A copy of the orders of the foregoing Commissions are to be supplied by an amendment.

It is also stated that Ohio Valley proposes to file the Inter-Company Power Agreement as a rate schedule, and the first Supplementary Transmission Agreement, the Inter-Company Bond Agreement, the Inter-Company Bank Credit Agreement, and the AEC Power Agreement as rate schedules or contracts affecting rates, with the Federal Power Commission. Indiana-Kentucky proposes to file the Power Agreement between Ohio Valley and Indiana-Kentucky as a rate schedule with the Federal Power Commission.

Notice is further given that any interested person may, not later than July 27, 1953, at 12 noon, e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after 12 noon, e. d. s. t., July 27, 1953, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-6322; Filed, July 10, 1953; 8:47 a. m.]

[File No. 812-833]

INVESTORS SYNDICATE OF AMERICA, INC.

NOTICE OF FILING CONCERNING DEPOSIT AND MAINTENANCE OF RESERVE FUNDS

JULY 13, 1953.

Notice is hereby given that Investors Syndicate of America, Inc. (Investors") a registered face-amount certificate investment trust, has filed an application seeking the amendment of previous orders of this Commission, entered pursuant to section 28 (c) of the act, with respect to the following matters:

Under date of November 14, 1940, Investors entered into an agreement with the Marquette National Bank of Minneapolis wherein Investors undertook to deposit and maintain part of its investments as a reserve for certain face-amount certificates which it was then offering for sale, upon the terms and conditions set forth in said agreement and in accordance with the provisions of section 28 (a) and (b) of the act. On November 16, 1940, the Commission ordered (Investment Company Act Release No. 13) Investors "to deposit and maintain in accordance with the terms and conditions set forth in the said [agreement above] * * * assets of the character specified and described in section 28 (b) of said act in an amount which shall at all times be at least equivalent to all reserve liabilities of said company, computed and maintained as provided by section 28 (a) of the said act; and subject to the proviso clause in relation to the deductions contained in section 28 (c) thereof."

Said order contained further terms requiring the company to file with the Commission information and documents designed to keep the Commission advised with respect to the matters relevant under section 28, and reserved jurisdiction "for the purpose of entering any further order, setting aside, modifying or extending the terms of this order, * * * which the Commission may deem necessary in the public interest and for the protection of investors."

On May 25, 1945 said agreement between Investors and Marquette was supplemented and amended to provide for the deposit of assets as reserves for additional series of face-amount certificates which Investors then proposed to issue and sell. On June 28, 1945, the Commission entered a further order (Investment Company Act Release No. 792) in connection with said agreement as supplemented and amended, which order was substantially identical in its terms and provisions as the Commission's earlier order of November 16, 1940.

Investors proposes to further supplement and amend said agreement with Marquette to provide for the deposit of assets as provided by section 28 (a) of said act as reserves for additional series of face-amount certificates which are now being offered for sale by Investors. Said additional series are designated Series A and Series B Fully Paid Face-Amount Certificates, the former to be offered in connection with group pensions, retirement or profit sharing plans and the latter to be offered only to employees of Investors Diversified Services, Inc. in conjunction with a pension plan adopted by that company. Investors Diversified Services, Inc., is the promoter, parent, underwriter and investment manager of Investors, and its employees are therefore affiliates of Investors. In related proceedings, the Commission permitted, among other things, the sale of Series B certificates to said employees and their participation in the pension plan (Investment Company Act Release No. 1824, December 18, 1952).

Notice is further given that any interested person may, not later than July 29, 1953, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may requested that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-6323; Filed, July 16, 1953; 8:48 a. m.]